

JS 44C/SDNY
REV. 1/2014

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS
CHURCH & DWIGHT CO., INC.DEFENDANTS
SPD SWISS PRECISION DIAGNOSTICS GMBHATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)
MICHAEL T. MERVIS, PROSKAUER ROSE LLP
ELEVEN TIMES SQUARE NEW YORK, NEW YORK 10036
Tel: 212-969-3000ATTORNEYS (IF KNOWN)
JEFFREY G. KNOWLES
Coblentz Patch Duffy & Bass LLP
San Francisco, CA 94111-4213CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Section 43(a) of the Lanham Act, 15 U.S.C. Section 1125(a). Action for false advertising and for breach of contract

Has this or a similar case been previously filed in SDNY at any time? No ☒ Yes ☐ Judge Previously AssignedIf yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date _____ & Case No. _____IS THIS AN INTERNATIONAL ARBITRATION CASE? No ☒ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

TORTS		ACTIONS UNDER STATUTES	
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY
[] 110 INSURANCE	[] 310 AIRPLANE	[] 362 PERSONAL INJURY -	[] 610 AGRICULTURE
[] 120 MARINE	[] 315 AIRPLANE PRODUCT	[] 365 MED MALPRACTICE	[] 620 OTHER FOOD &
[] 130 MILLER ACT	[] 320 LIABILITY	[] 365 PERSONAL INJURY	[] 625 DRUG
[] 140 NEGOTIABLE	[] 320 ASSAULT, LIBEL &	[] 368 PRODUCT LIABILITY	[] 625 DRUG RELATED
[] 150 INSTRUMENT	[] 320 SLANDER	[] 368 ASBESTOS PERSONAL	[] 625 SEIZURE OF
[] 150 RECOVERY OF	[] 330 FEDERAL	[] 368 INJURY PRODUCT	[] 625 PROPERTY
[] 150 OVERPAYMENT &	[] 330 EMPLOYERS'	[] 368 LIABILITY	[] 630 LIQUOR LAWS
[] 150 ENFORCEMENT	[] 340 LIABILITY	[] 368 PERSONAL PROPERTY	[] 640 RR & TRUCK
[] 151 OF JUDGMENT	[] 340 MARINE	[] 370 OTHER FRAUD	[] 650 AIRLINE REGS
[] 151 MEDICARE ACT	[] 345 MARINE PRODUCT	[] 371 TRUTH IN LENDING	[] 660 OCCUPATIONAL
[] 152 RECOVERY OF	[] 345 LIABILITY	[] 380 OTHER PERSONAL	[] 660 SAFETY/HEALTH
[] 152 DEFAULTED	[] 350 MOTOR VEHICLE	[] 380 PROPERTY DAMAGE	[] 690 OTHER
[] 152 STUDENT LOANS	[] 355 MOTOR VEHICLE	[] 385 PROPERTY DAMAGE	
[] 152 (EXCL VETERANS)	[] 355 PRODUCT LIABILITY	[] 385 PRODUCT LIABILITY	
[] 153 RECOVERY OF	[] 360 OTHER PERSONAL		
[] 153 OVERPAYMENT	[] 360 INJURY		
[] 153 OF VETERAN'S			
[] 153 BENEFITS			
[] 160 STOCKHOLDERS			
[] 190 SUITS			
[] 190 OTHER			
[] 195 CONTRACT			
[] 195 CONTRACT			
[] 195 PRODUCT			
[] 195 LIABILITY			
[] 196 FRANCHISE			
	ACTIONS UNDER STATUTES	PRISONER PETITIONS	LABOR
	CIVIL RIGHTS	[] 510 MOTIONS TO	[] 710 FAIR LABOR
	[] 441 VOTING	[] 530 VACATE SENTENCE	[] 720 STANDARDS ACT
	[] 442 EMPLOYMENT	[] 530 28 USC 2255	[] 720 LABOR/MGMT
	[] 443 HOUSING/	[] 530 HABEAS CORPUS	[] 730 RELATIONS
	[] 443 ACCOMMODATIONS	[] 535 DEATH PENALTY	[] 730 LABOR/MGMT
	[] 444 WELFARE	[] 540 MANDAMUS & OTHER	[] 730 REPORTING &
	[] 445 AMERICANS WITH		[] 730 DISCLOSURE ACT
	[] 445 DISABILITIES -		[] 740 RAILWAY LABOR ACT
	[] 445 EMPLOYMENT		[] 790 OTHER LABOR
	[] 446 AMERICANS WITH		[] 791 LITIGATION
	[] 446 DISABILITIES -OTHER		[] 791 EMPL RET INC
	[] 440 OTHER CIVIL RIGHTS		[] 791 SECURITY ACT
	[] 440 (Non-Prisoner)		
REAL PROPERTY		PRISONER CIVIL RIGHTS	IMMIGRATION
[] 210 LAND		[] 550 CIVIL RIGHTS	[] 462 NATURALIZATION
[] 220 CONDEMNATION		[] 555 PRISON CONDITION	[] 463 APPLICATION
[] 220 FORECLOSURE			[] 463 HABEAS CORPUS-
[] 230 RENT LEASE &			[] 463 ALIEN DETAINEE
[] 230 EJECTMENT			[] 465 OTHER IMMIGRATION
[] 240 TORTS TO LAND			[] 465 ACTIONS
[] 245 TORT PRODUCT			
[] 245 LIABILITY			
[] 290 ALL OTHER			
[] 290 REAL PROPERTY			

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?
IF SO, STATE:DEMAND \$ _____ OTHER ☒ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint

JURY DEMAND: ☐ YES ☒ NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN x IN ONE BOX ONLY)

ORIGIN

- ☒ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from (Specify District)
 ☐ 6 Multidistrict Litigation
 ☐ 7 Appeal to District Judge from Magistrate Judge Judgment
- ☐ a. all parties represented
☐ b. At least one party is pro se.

(PLACE AN x IN ONE BOX ONLY)

BASIS OF JURISDICTION

- ☐ 1 U.S. PLAINTIFF
 ☐ 2 U.S. DEFENDANT
 ☒ 3 FEDERAL QUESTION (U.S. NOT A PARTY)
 ☐ 4 DIVERSITY

IF DIVERSITY, INDICATE
CITIZENSHIP BELOW.
(28 USC 1332, 1441)

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF DEF [] 1 [] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [] 3 [] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF DEF [] 5 [] 5
CITIZEN OF ANOTHER STATE	[] 2 [] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[] 4 [] 4	FOREIGN NATION	[] 6 [] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN
(DO NOT check either box if this a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.)

DATE 1/29/2014 SIGNATURE OF ATTORNEY OF RECORD

Nicholas F. Maurer

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO

☒ YES (DATE ADMITTED Mo. 12 Yr. 1991)

Attorney Bar Code # MM 0306

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court

RECEIVED

Magistrate Judge _____ is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)